

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED
CENTRAL FAX CENTER****JAN 14 2005**

In re PATENT APPLICATION of

ESCH *ET AL*

Group Art Unit: 1754

Application Serial No.: 09/986,468

Examiner: HENDRICKSON, S.L.

Filed: November 8, 2001

Title: PRECIPITATED SILICA

January 14, 2005

* * * * *

PRELIMINARY AMENDMENT PURSUANT TO 37 C.F.R. §1.115

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Prior to the examination of the pending claims on the merits, along with the request for continued examination (RCE), the applicants respectfully consideration of the following amendments and remarks.

Amendments to the specification begin on page 2.

Amendment to the claims and a complete listing of the claims begin on page 3.

Remarks begin on page 4.

Attorney Docket 021123-0282431

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:
Esch et al.

Confirmation No: 5111

RECEIVED
CENTRAL FAX CENTER

JAN 14 2005

Application No.: 09/986,468

Group Art Unit: 1754

Filed: November 8, 2001

Examiner: S. Hendrickson

Title: Precipitated Silica

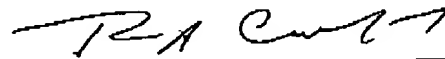
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**CERTIFICATION OF FACSIMILE TRANSMISSION
UNDER 37 C.F.R. § 1.8**

I hereby certify that the following papers, consisting of 51 pages including this cover sheet, are being facsimile transmitted to the Patent and Trademark Office at 703.872.9306 on the date shown below:

- (1) Request for Continued Examination
- (2) Fee Transmittal
- (3) Preliminary Amendment
- (4) Substitute Specification (marked-up copy)
- (5) Substitute Specification (clean copy)

PILLSBURY WINTHROP LLP



THOMAS A. CAWLEY, JR.
Reg. No. 40,944

Date: January 14, 2005

P.O. Box 10500
McLean, VA 22102
Telephone: 703.905.2000
Facsimile: 703.905.2500

30505367v1

PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0551-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4618).**FEE TRANSMITTAL**
For FY 2005☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 790

Complete if Known

Application Number	09/986,468
Filing Date	November 8, 2001
First Named Inventor	Heinz Esch
Examiner Name	S. Hendrickson
Art Unit	1754
Attorney Docket No.	021123-0282431

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 033975

Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)

Small Entity Fee (\$)

Each independent claim over 3 (including Reissues)

50

200

360

Multiple dependent claims

Multiple Dependent Claims

Total Claims

Extra Claims

Fee (\$)

Fee Paid (\$)

- 20 or HP =

x

=

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims

Extra Claims

Fee (\$)

Fee Paid (\$)

- 3 or HP =

x

=

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(c)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets

Extra Sheets

Number of each additional 50 or fraction thereof

Fee (\$)

Fee Paid (\$)

- 100 =

/ 50 =

(round up to a whole number) x

Fees Paid (\$)

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

790

Other (e.g., late filing surcharge): RCE fee

SUBMITTED BY		Registration No.	Telephone
Signature	<i>Thomas A. Cawley</i>	40,944	703.905.2000
Name (Print/Type) Thomas A. Cawley		(Attorney/Agent)	Date January 14, 2005

This collection of information is required by 37 CFR 1.135. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.